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June 12, 2019

VIA ECF

Magistrate Judge Roanne L. Mann
United States District Court, E.D.N.Y.
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Mason v. Lumber Liquidators, Inc.*, Case No. 17-CV-4780 (MKB) (RLM)

Dear Judge Mann,

This office represents Defendant Lumber Liquidators, Inc. in the above-referenced matter.

On June 10, 2019, Defendant filed Rule 72 objections to Your Honor's June 5, 2019 Memorandum and Order (the "June 5, 2019 Order"), which denied Defendant's "motion to stay the deadline to distribute notice to the collective" and granted in substantial part Plaintiffs' "motion to compel production of the Collective Data"¹, "except that the Court sets the deadline at June 12." (*See* Dkts. 80, 82-84, 89).

In light of Defendant's Rule 72 objections to the June 5, 2019 Order, which are currently pending before District Judge Margo K. Brodie, Defendant respectfully requests that the Court provide Defendant with an extension of time to produce the Collective Data until 1 day after District Judge Brodie rules on Defendant's Rule 72 objections. Plaintiffs have indicated that they do not consent to this request.

The reason for Defendant's request is that if District Judge Brodie sustains Defendant's Rule 72 objections, granting the relief requested herein is the only way Defendant would be able to avoid significant prejudice. Even if the Rule 72 objections were later sustained, it would be moot if notice had already been posted and sent to potential opt-in plaintiffs, which may be the case here, were the Court to deny the instant request.

Nevertheless, should Your Honor decline Defendant's request, Defendant will produce the Collective Data to Plaintiffs within 24 hours of Your Honor's order.

We thank the Court for its attention and consideration in this matter.

¹ The Court has referred to the Collective Data to include "a list of the names, addresses, telephone numbers, email addresses, work locations and dates of employment for all potential collective action members during the relevant time period." *See* Dkt. 80.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christine L. Hogan", written in a cursive style.

Christine L. Hogan

Cc: All Counsel of Record